

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH DAVIS,

Plaintiff,

04 Civ. 7276 (SHS)

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

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PROOF OF SERVICE

ROSE M. WEBER, an attorney duly admitted to practice in the State of New York and this Court, declares under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following statements are true.

I am over 18 years of age and am not a party to this action.

That on September 16, 2004, at approximately 1:00 p.m., at the 42nd Precinct, 830 Washington Avenue, Bronx, New York, I served a **Summons and Complaint** upon P.O. James Lamendola, defendant therein named, by delivering and leaving one true copy of the **Summons and Complaint** with a person of suitable age and discretion, to wit Sgt. Anders, co-worker.

Declarant describes person served as aforesaid to the best of declarant's ability at the time and circumstances of service as follows:

Sex: M	Race: W	Hair: short, dark	Approx. Age: 35
Approx. Ht.: 5'4"		Approx. Wt.: average	

That on September 16, 2004, declarant mailed another true copy of the **Summons and Complaint** by first class mail properly enclosed and sealed in a postpaid wrapper addressed

to P.O. James Lamendola at the 42nd Precinct, 830 Washington Avenue, Bronx, New York 10452, his place of business, said envelope bearing the legend "Personal & Confidential" and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

Dated: New York, New York
September 16, 2004

By: /s/
Rose M. Weber (RW 0515)